

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

NAVIGATOR HEARTLAND)	
GREENWAY LLC,)	
)	No. EQCE088024
Plaintiff,)	
)	
vs.)	
)	MOTION TO INTERVENE
IOWA UTILITIES BOARD,)	
)	
Defendant.)	

Comes now Sierra Club Iowa Chapter and in support of this Motion to Intervene states to the Court as follows:

1. Navigator Heartland Greenway LLC (Navigator) has filed herein a Petition for Temporary and Permanent Injunction to prevent disclosure of its list of landowners who may be impacted by Navigator's carbon dioxide pipeline project.

2. Sierra Club has been working with landowners since Navigator's project was first announced to help landowners understand their rights and to support any landowners who resist Navigator's efforts to obtain easements from those landowners.

3. It is important in furthering Sierra Club's work with the landowners to know the identity of all affected landowners so Sierra Club can make contact with them. Sierra Club has no way to make that contact other than by word of mouth, without having access to Navigator's landowner list. This allegation is supported by the affidavit of Jessica Mazour.

4. Navigator filed a Motion for Confidential Treatment in the Iowa Utilities Board (IUB) docket. Sierra Club filed a Resistance to that motion on August 24, 2022.

5. Sierra Club is entitled to intervention of right, pursuant to Iowa Rule of Civil Procedure 1.407(1), because Sierra Club, as shown above, has an interest in public disclosure of Navigator's landowner list and that interest would be impaired if Navigator

prevails in this action. Sierra Club does not believe the IUB will adequately represent Sierra Club's interest because the IUB has expressed its willingness to keep the landowner list confidential.

6. Sierra Club is entitled to permissive intervention, pursuant to Iowa Rule of Civil Procedure 1.407(2), because Sierra Club's claim with respect to the landowner list has questions of law and fact in common with Navigator's claims in this action.

WHEREFORE, Sierra Club Iowa Chapter requests that it be allowed to intervene in this action.

/s/ *Wallace L. Taylor*
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